

SERVICE DATE – JANUARY 13, 2026

SURFACE TRANSPORTATION BOARD

DECISION

Docket No. AB 55 (Sub-No. 794X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—IN PINELLAS
COUNTY, FLA.

Decided: January 13, 2026

On August 20, 2019, CSX Transportation, Inc. (CSXT), filed a verified notice of exemption under 49 C.F.R. part 1152 subpart F—Exemption Abandonments to abandon an approximately 0.86-mile segment of rail line located in downtown St. Petersburg, Pinellas County, Fla. (the Line). Notice of the exemption was served and published in the Federal Register on September 9, 2019 (84 Fed. Reg. 47,339), and the exemption became effective on October 9, 2019.

On August 29, 2019, the City of St. Petersburg (City) filed a request for issuance of a public use condition under 49 U.S.C. § 10905 and (as supplemented on September 4, 2019) a request for issuance of a notice of interim trail use or abandonment (NITU) under the National Trails System Act, 16 U.S.C. § 1247(d), and 49 C.F.R. § 1152.29. The Georgetown and High Line Railway Company, LLC (GHL), also requested a NITU on August 29, 2019. Subsequently, CSXT notified the Board that it was willing to negotiate an agreement for interim trail use/railbanking with GHL but not with the City.

In a decision and NITU served January 13, 2020, GHL's request for a NITU was granted and the City's request for a NITU was denied. CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X) (STB served Jan. 13, 2020). Thereafter, on June 23, 2021, CSXT and GHL jointly notified the Board that, as of June 17, 2021, they had entered into an interim trail use/railbanking agreement for the Line. However, for reasons detailed in a prior decision in this docket, the Board revoked the NITU issued to GHL and reinstated CSXT's authority to abandon the Line. See CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X) (STB served Nov. 14, 2023).¹

On December 14, 2023, the City filed a new request for issuance of a NITU, to which CSXT replied on December 20, 2023, agreeing to negotiate with the City. By decision and

¹ An appeal of this decision is currently pending before the U.S. Court of Appeals for the Eleventh Circuit, with an oral argument scheduled in February 2026. CSX Transp., Inc. v. STB, No. 23-13860 (11th Cir.). Additionally, on January 9, 2026, CSXT petitioned the Board to reopen the proceeding and vacate its November 2023 decision revoking the NITU issued to GHL. That petition will be addressed in a subsequent decision.

NITU served January 12, 2024, the Board granted the City’s request for a NITU. CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X), slip op. at 3-4 (STB served Jan. 12, 2024). The Board’s decision permitted the parties to negotiate for a one-year period, until January 12, 2025. By decision served January 10, 2025, the NITU negotiating period was extended until January 12, 2026. CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X), slip op. at 2 (STB served Jan. 10, 2025).

On December 30, 2025, the City filed a request to extend the NITU negotiating period until January 12, 2027, to continue and conclude negotiations for interim trail use/railbanking with CSXT. (City Extension Request 1, Dec. 30, 2025.) The City represents that it and its partner, Trust for Public Lands, have made an offer to purchase the Line, which CSXT has accepted, and the parties are in the process of due diligence in preparation for closing on the purchase, tentatively scheduled for next spring. (*Id.*) The City expresses its belief that the extension “will allow for the completion of the acquisition of the Line.” (*Id.*) On December 31, 2025, CSXT filed a letter agreeing to the requested extension of the NITU negotiating period.

On the same day, the National Association of Reversionary Property Owners (NARPO) filed a request that the Board “terminate” the NITU issued to the City.² NARPO reiterates arguments it has made previously in seeking termination of the NITU, namely that the Board is disregarding its own rules adopted in Limiting Extensions of Trail Use Negotiating Periods (Limiting Extensions), EP 749 (Sub-No. 1) et al. (STB served Dec. 4, 2019), by allowing any extension of the NITU past four years after the initial NITU was issued to GHF on January 13, 2020. (*See* NARPO Mot. 1, Dec. 31, 2025.)

The City’s request for an extension of the NITU negotiating period, to which CSXT consents, will be granted in part, with the negotiating period extended only to August 1, 2026. Under the regulations adopted in Limiting Extensions, EP 749 (Sub-No. 1) et al., slip op. at 11, parties wishing to extend their negotiating period generally are limited to three one-year extensions beyond the initial one-year term, absent a showing of “extraordinary circumstances.” *See also* 49 C.F.R. § 1152.29(d)(1)(ii). The Board has stated that it will consider the negotiating periods for multiple NITUs or certificates of interim trail use or abandonment (CITUs) involving the same line cumulatively for purposes of determining whether the “extraordinary circumstances” standard applies. *See CSX Transp., Inc.—Aban. Exemption—in Alachua Cnty., Fla. (Alachua Cnty.)*, AB 55 (Sub-No. 718X), slip op. at 3 (STB served Apr. 16, 2020). Parties that requested a NITU or CITU before the new rules took effect also must show “extraordinary circumstances” for any request that would extend the negotiating period to a date after the four-year anniversary of the issuance of the NITU or CITU. Limiting Extensions, EP 749 (Sub-No. 1) et al., slip op. at 11.

² NARPO filed similar requests to terminate the NITU on January 12, 2024, and April 8, 2024. The Board denied those requests by decisions served April 5, 2024, and January 7, 2025, respectively. CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla. (January 2025 Decision), AB 55 (Sub-No. 794X), slip op. at 4 (STB served Jan. 7, 2025); CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla. (April 2024 Decision), AB 55 (Sub-No. 794X), slip op. at 2 (STB served Apr. 5, 2024).

Here, GHL was issued a NITU on January 13, 2020, before the regulations in Limiting Extensions became effective, meaning any request to extend the negotiating period beyond January 13, 2024, would have ordinarily required a showing of “extraordinary circumstances.” However, as has been stated previously in this proceeding, in revoking the NITU issued to GHL, the Board explicitly provided that the City could submit a renewed request for a NITU, which the City did. January 2025 Decision, AB 55 (Sub-No. 794X), slip op. at 4 (STB served Jan. 7, 2025); April 2024 Decision, AB 55 (Sub-No. 794X), slip op. at 2 (STB served Apr. 5, 2024). Those decisions also observed that because GHL and CSXT concluded their negotiations and notified the Board that they had reached an interim trail use/railbanking agreement as of June 17, 2021, the Line had not been under continuous negotiations, contrary to NARPO’s suggestion. January 2025 Decision, AB 55 (Sub-No. 794X), slip op. at 4; April 2024 Decision, AB 55 (Sub-No. 794X), slip op. at 2. Furthermore, in resolving a previous NARPO motion seeking termination of the NITU, the Board determined that it did not need to decide whether the City was required to demonstrate extraordinary circumstances in seeking the NITU, but the Board noted that there was ample justification for issuing the NITU to the City. January 2025 Decision, AB 55 (Sub-No. 794X), slip op. at 4.

As the Board has stated, the circumstances of this case are unique. January 2025 Decision, AB 55 (Sub-No. 794X), slip op. at 4. In considering the City’s current request for an additional one-year extension of the NITU, this decision notes the Board’s precedent indicating that it will consider the negotiating periods for multiple NITUs involving the same line cumulatively for purposes of determining whether the extraordinary circumstances standard applies, see Alachua Cnty., AB 55 (Sub-No. 718X), slip op. at 3, and that in this case, the two NITU negotiating periods were separated by an interval of nearly two and a half years, during which time the Line was subject to the interim trail use/railbanking agreement between GHL and CSXT.³ Assuming, but without deciding, that the two NITUs in this case should be considered cumulatively, the four-year mark for those cumulative negotiating periods would fall in August 2026. At this time, under the unique circumstances of this case, the NITU will be extended only to August 1, 2026.⁴ Because this decision does not extend the NITU beyond what would be the four-year mark for the cumulative NITU negotiations, it need not address whether a showing of extraordinary circumstances is necessary in this case. However, any request to further extend the negotiating period beyond August 1, 2026, should include either a showing of extraordinary circumstances or an explanation as to why such a showing is not necessary.

NARPO’s request that the Board “terminate” the NITU will be denied. The Board has already twice denied nearly identical requests filed by NARPO. As discussed above, in those decisions, among other things, the Board noted that it expressly provided that the City could

³ The decision extending the City’s NITU to January 12, 2026, noted that it was the City’s first extension request, making the City’s current request its second request to extend the NITU negotiating period. See CSX Transp., Inc.—Aban. Exemption—in Pinellas Cnty., Fla., AB 55 (Sub-No. 794X), slip op. at 2 (STB served Jan. 10, 2025). In its January 2025 Decision, the Board stated that it need not decide whether the City was required to demonstrate extraordinary circumstances in seeking the NITU. See AB 55 (Sub-No. 794X), slip op. at 4.

⁴ As noted above, the City states that the purchase is tentatively scheduled to close next spring.

submit a renewed request for a NITU. See January 2025 Decision, AB 55 (Sub-No. 794X), slip op. at 4; April 2024 Decision, AB 55 (Sub-No. 794X), slip op. at 2.

It is ordered:

1. The City's request to extend the NITU negotiating period is granted in part; the negotiating period is extended until August 1, 2026.
2. NARPO's request to terminate the NITU is denied.
3. This decision is effective on its service date.

By the Board, Anika S. Cooper, Chief Counsel, Office of Chief Counsel.